

## **REMARKS**

Claims 256-279 were rejected under 35 U.S.C. Section 101 as being directed to non-statutory subject matter. Claims 256-279 have been amended to recite “A computer readable memory medium”.

Claim 286 was rejected under 35 U.S.C. Section 102 as being anticipated by Meier (USPN 6,847,620).

Claims 146-177, 179-190, 192-210, 212-221, 256-279, 283-285 and 287-302 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Meier in view of Delaney et al. (USPN 6,937,574) (hereinafter referred to simply as “Delaney”).

Claim 191 was rejected under 35 U.S.C. Section 103(a) as being unpatentable over Meier in view of Delaney and further in view of IEEE Std. 802.11-1997 (hereinafter referred to simply as “the IEEE Standard”).

Claim 211 was rejected under 35 U.S.C. Section 103(a) as being unpatentable over Meier in view of Delaney and further in view of Official Notice.

Applicant respectfully disagrees with these rejections based on the following reasoning.

Claim 146 recites “the first access point determining the first VLAN of the plurality of possible VLANs for the portable computing device after receiving the identification information”. Meier never suggests this feature.

At Col. 3, lines 45-48, Meier recites:

A VLAN station is considered a "local station" when it is associated with a non-VLAN AP or a VLAN AP with the same VLAN ID; otherwise, it is a "guest station".

According to these definitions, Meier Figure 2 illustrates two local stations (A4 and B5) and two guest stations (B4 and A5). Guest stations send and receive VLAN-tagged frames as indicated at Col. 5, lines 8-9 and at Col. 6, lines 4-6. Local stations send and receive untagged frames or priority-tagged frames as indicated at Col. 6, lines 17-19.

There is no suggestion in Meier that the access points determine a VLAN after receiving the identification information as recited in claim 146. In contrast, Meier teaches:

In the disclosed embodiment, INCA VLAN support is structured such that both INCA and non-INCA VLAN stations can participate in GVRP and/or GMRP. GARP PDUs and tagged frames, from INCA or non-INCA stations, are **transparently forwarded** inbound by non-VLAN APs and wireless VLAN APs. In general, it is assumed that a VLAN AP transparently forwards frames without modifying, adding, or deleting the tag header. Instead, the 802.1Q switch, connected to the AP, is responsible for modifying, adding, or deleting a tag header, as required. However, it is possible for an AP to add or delete a tag header in frames that pass through the AP to provide extended services.

Meier's observation that it is possible for an access point to add or delete a tag header in frames does not suggest or imply an act of "determining a VLAN" as recited in Claim 146. Thus, Claim 146 and its dependents are patentably distinguished over the cited references.

Claims 173, 174, 177, 202, 256, 283, 284, 286, 287, 288 and 289 recite features similar to that argued above with regard to claim 146. Therefore, these claims and their dependents are patentably distinguished over the cited references based on similar reasoning.

Claim 146 further recites, "each of at least a subset of the plurality of possible VLANs corresponds to a respective network service provider". This feature is not suggested in either of the cited references.

Delaney teaches that "This invention seeks to provide methods and apparatus that enable a NSP to provide a large number of VLANs on shared network facilities." (Col. 1, lines 54-56). However, Delaney never suggests an access point operable to support a plurality of VLANs, where each of at least a subset of the VLANs corresponds to a respective network service provider as recited in Claim 146. Note that Delaney's invention concerns a single NSP providing a number of VLANs. Therefore, Claim 146 and its dependents are further distinguished over the cited references. Claims 173, 174, 177, 256, 284, 287

and 289 recite similar features. Thus, these claims and their dependents are likewise additionally distinguished over the cited references.

### CONCLUSION

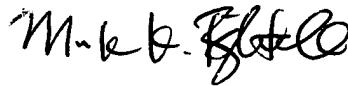
Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5285-06300/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



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